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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 EARL G. NASH,

12 Plaintiff,

13 v.

14 MICHAEL J. ASTRUE, Commissioner of
Social Security,

15 Defendant.

CASE NO. C07-5553 FDB

ORDER ADOPTING REPORT
AND RECOMMENDATION
REVERSING AND
REMANDING FOR FURTHER
ADMINISTRATIVE
PROCEEDINGS


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17 This matter comes before the Court on the Report and Recommendation of the Magistrate
18 Judge that the decision of the Commissioner determining Earl Nash to not be disabled be remanded to the
19 Commissioner for further administrative proceedings. The Commissioner has not filed an objection.

20 The Court, having reviewed Plaintiff's complaint, the Report and Recommendation of Judge Karen
21 L. Strombom, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- 22 (1) the Court adopts the Report and Recommendation;
23 (2) the ALJ erred in his decision as described in the report;
24 (3) the matter is therefore **REVERSED** and remanded to the Commissioner for further
25 administrative proceedings; and
26 (4) the Clerk is directed to send copies of this Order to Plaintiff's counsel, Defendant's counsel
27 and Magistrate Judge Karen L. Strombom.
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1 DATED this 12th day of September, 2008.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE